

Brent O. Hatch (5715)  
Mark F. James (5295)  
HATCH, JAMES & DODGE, PC  
10 West Broadway, Suite 400  
Salt Lake City, Utah 84101  
Telephone: (801) 363-6363  
Facsimile: (801) 363-6666

Stuart H. Singer (admitted pro hac vice)  
BOIES, SCHILLER & FLEXNER LLP  
401 East Las Olas Boulevard – Suite 1200  
Ft. Lauderdale, Florida 33301  
Telephone: (954) 356-0011  
Facsimile: (954) 356-0022

*Attorneys for The SCO Group, Inc.*

Robert Silver (admitted pro hac vice)  
Edward Normand (admitted pro hac vice)  
BOIES, SCHILLER & FLEXNER LLP  
333 Main Street  
Armonk, New York 10504  
Telephone: (914) 749-8200  
Facsimile: (914) 749-8300

Stephen N. Zack (admitted pro hac vice)  
BOIES, SCHILLER & FLEXNER LLP  
Bank of America Tower – Suite 2800  
100 Southeast Second Street  
Miami, Florida 33131  
Telephone: (305) 539-8400  
Facsimile: (305) 539-1307

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS  
MACHINES CORPORATION,

Defendant/Counterclaim-Plaintiff.

**ORDER GRANTING EX PARTE  
MOTION FOR LEAVE  
TO FILE SCO'S OVER LENGTH  
MEMORANDUM IN SUPPORT OF  
ITS MOTION FOR  
RECONSIDERATION BY THE  
MAGISTRATE COURT OF THE  
ORDER DENYING SCO'S MOTION  
FOR RELIEF FROM IBM'S  
SPOILIATION OF EVIDENCE**

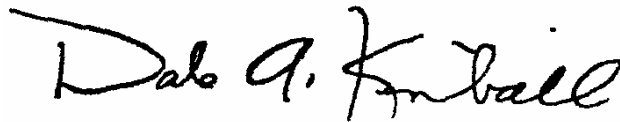
Case No. 2:03CV0294DAK

Honorable Dale A. Kimball  
Magistrate Judge Brooke C. Wells

This matter comes before the Court on the Ex Parte Motion of Plaintiff/Counterclaim-Defendant The SCO Group (“SCO”) for Leave to File their over length Memorandum in Support of its Motion for Reconsideration by the Magistrate Court of the Order Denying SCO’s Motion for Relief for IBM’s Spoliation of Evidence (the “Reconsideration Memorandum”) The Court, having considered the matter, hereby determines that good cause and exceptional circumstances exist and hereby ORDERS that SCO be granted leave to file its over-length Reconsideration Memorandum consisting of 23 pages, exclusive of face sheet, table of contents and authorities, appendixes and exhibits.

DATED: March 19, 2007

BY THE COURT:

A handwritten signature in black ink, reading "Dale A. Kimball". The signature is written in a cursive, flowing style with a large initial 'D'.

Honorable Dale A. Kimball

United States District Judge